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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-09-00692 SBA
	)	
Plaintiff,	)	
	)	STIPULATION AND PROTECTIVE
v.	)	ORDER RE: DISCOVERY OF
	)	PERSONAL AND FINANCIAL
SU THANH BUI,	)	INFORMATION
a/k/a "Nam Thanh Bui,"	)	
a/k/a "Su T. Bui,"	)	
a/k/a "Tuan A. Nguyen,"	)	OAKLAND VENUE
a/k/a "Tuan Anh Nguyen,"	)	
	)	
Defendant.	)	

With the agreement of the parties, and with the consent of Defendant Sui Thanh Bui, the Court enters the following order:

Defendant is charged with three counts of access device fraud, in violation of 18 U.S.C. §1029(a)(2), and three counts of aggravated identity theft, in violation of 18 U.S.C. § 1028A(a)(1). Pursuant to Defendant's request, the United States will produce to counsel for Defendant ("defense counsel") discovery that contains personal identifying information, including social security numbers, birth dates, driver's license numbers, and private financial information, including account numbers, pertaining to the victims in this case. The United States

PROTECTIVE ORDER  
CR-09-00692 SBA

1 will designate this material as confidential by marking such material as “CONFIDENTIAL” and  
2 shall produce such discovery on a CD or DVD marked “WARNING: CONTENTS SUBJECT  
3 TO PROTECTIVE ORDER. UNAUTHORIZED COPYING OR VIEWING IS SUBJECT TO  
4 PUNISHMENT AS CONTEMPT OF COURT.” Pursuant to Federal Rule of Criminal  
5 Procedure 16, the government requests that disclosure of these materials be subject to the  
6 following restrictions:

7 1. Except when being actively examined for the purpose of the preparation of  
8 Defendant’s defense, the materials produced pursuant to this Order by the United States to  
9 defense counsel shall be maintained in a safe, and secure drawer, cabinet, or safe which  
10 is accessible only to defense counsel, members of his or her law firm who are working with him  
11 or her to prepare Defendant’s defense, and his or her investigators. Defense counsel, members  
12 of his or her law firm, Defendant, and the investigators shall not permit any person access of  
13 any kind to the materials or disclose in any manner the Personal Identifying Information of third  
14 parties except as set forth below.

15 2. The following individuals may examine the materials produced pursuant to this  
16 Order for the sole purpose of preparing Defendant’s defense and for no other purpose:

- 17 a) Defense counsel;
- 18 b) Members of defense counsel’s law office who are assisting with the  
19 preparation of Defendant’s defense;
- 20 c) Defendant Sui Thanh Bui, but only in the presence of defense counsel or  
21 another authorized person listed in this paragraph, (and Defendant may  
22 not take or maintain notes regarding the Personal Identifying Information  
23 of any victims in this case); and
- 24 d) Investigators retained by Defendant to assist in Defendant’s defense.

25 If defense counsel determines that additional persons are needed to review the material, he or she  
26 must obtain a further order of the Court before allowing any other individual to review the  
27 material.

28 3. A copy of this order shall be maintained with the documents at all times.

4. No other person may be allowed to examine the materials produced pursuant to this Order without further court order. Examination of the materials shall be done in a secure environment which will not expose the materials to other individuals not listed above.

5. Documents such as word processing files, e-mails, and other text files may be duplicated to the extent necessary to prepare Defendant's defense.

6. Any pleadings that reveal the Personal Identifying Information of third parties, either by attaching copies of documents containing that information or referencing that information, shall be redacted to prevent the disclosure of such information or filed under seal.

7. Within five court days of the judgement and sentencing hearing in this matter, all material provided to defense counsel pursuant to this Order, and all other authorized copies, if any, shall be returned to the United States. The United States shall destroy them. If Defendant believes that he must maintain the material for any reason related to appeal, Defendant must seek authorization from the District Court within five days of the sentencing and judgement in this matter.

STIPULATED:

DATED: \_\_\_\_\_

\_\_\_\_\_  
JOHN PAUL REICHMUTH  
Attorney for Defendant

DATED: \_\_\_\_\_

\_\_\_\_\_  
WADE M. RHYNE  
Assistant United States Attorney

IT IS SO ORDERED that disclosure of the above-described discovery materials shall be restricted as set forth above.

DATED: 9/1/09

  
\_\_\_\_\_  
HON. SAUNDRA BROWN ARMSTRONG  
United States District Court Judge